

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

08/02/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CIVIL NO. 04-00449SOM-LEK

CASE NAME: Barbara Kalanikiekie Kaapuni, et al. vs. Carlton Helm, et al.

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

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JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 08/02/2006

TIME:

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COURT ACTION: EO: COURT ORDER RE: MOTION TO WITHDRAW AS  
COUNSEL

On July 10, 2006, Arthur Ross, Esq., and Rory Soares Toomey, Esq. (collectively "Counsel"), counsel for Plaintiffs Barbara Kalanikiekie Kaapuni, Jon Hans Kaapuni, Sr., Pamela Noholani Kaapuni, Jon Hans Kaapuni, Jr., Fallon Kalnikiekie Kaapuni, and Tyrah Noholani Kaapuni, by her best friend Jon Hans Kaapuni, Sr. (collectively "Plaintiffs"), filed the instant Motion to Withdraw as Counsel ("Motion"). Defendants Carlton Helm, Christina Williams, Kelly Arlos, Jamie Winfrey, Harold Manois, Kena Brown, and the County of Maui (collectively "Defendants") filed a statement of no opposition and nonappearance on July 17, 2006. This matter came on for hearing on August 2, 2006. Mr. Ross appeared on his own behalf and on behalf of Mr. Toomey. Three calls were made for Plaintiffs, but there was no response.

Under Local Rule 83.6(b), "[a]n attorney who has appeared in a case may seek to withdraw on motion showing good cause." See Local Rule LR83.6(b). Based on the arguments in the Motion and Mr. Ross's representations at the hearing, this Court finds that there is good cause to permit Counsel to withdraw. The Court therefore GRANTS the Motion.

The Court cautions Plaintiffs that they are personally responsible for complying with all court orders and time limitations established by the Federal Rules of Civil

Procedure or by the Local Rules.

The Court directs the Clerk's Office to provide a copy of this Order to Plaintiffs by certified mail, return receipt requested.

IT IS SO ORDERED.

Cc: all counsel

Submitted by: Warren N. Nakamura, Courtroom Manager